

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DUANE URBAN and BRIAN SMITH,)
)
 Plaintiffs,)
)
 v.) Civil Action No. 08-260-GMS
)
 HOWARD R. YOUNG CORRECTIONAL)
 INST/STAFF & CORRECTIONS,)
)
 Defendants.)

ORDER

WHEREAS, the plaintiffs, Duane Urban (“Urban”) and Brian Smith (“Smith”), filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, on May 16, 2008, the court entered an order for Urban and Smith to submit, within 30 days from the date of the order, certified copies of their respective prison trust fund account statement or the institutional equivalent for the six-month period immediately preceding the filing of the complaint, or the case would be dismissed (D.I. 4);

WHEREAS, to date, the required documents have not been received from Urban or Smith:

Simultaneously, the Court has ordered that the case be dismissed without prejudice for failure to comply with the May 16, 2008 order.

THEREFORE, at Wilmington this 1st day of August, 2008, IT IS HEREBY ORDERED that the case is DISMISSED WITHOUT PREJUDICE for failure to comply with the May 16, 2008 order.

for 99. ~~100~~

CHIEF, UNITED STATES DISTRICT JUDGE

